

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	CASE NO.: 1:17-cv-156
v.	:	
	:	DISTRICT JUDGE BLACK
	:	MAGISTRATE JUDGE BOWMAN
EIGHT (8) COUNTERFEIT WATCHES et	:	
al.,	:	
	:	
Defendants.	:	

DECREE OF FORFEITURE

This matter comes before the Court on the motion of the United States for a Decree of Forfeiture against the Defendants.

The United States filed a Verified Complaint for Forfeiture *In Rem* on March 10, 2017, against Eight Counterfeit Watches (Defendant 1) and Miscellaneous Counterfeit Clothing Shoes and Accessories (Defendant 2) more fully described as (the “defendants”):

Defendant 1: Eight (8) Counterfeit Watches

1.	Stainless steel and gold tone gents Gucci watch set with rhinestones, with white rubber strap;
2.	Stainless steel and gold tone gents Gucci watch set with rhinestones, with brown strap;
3.	Stainless steel and gold tone gents Gucci Pentacon watch with logo striped white strap ref #1142, Serial Number 11912656;
4.	Stainless steel and gold tone gents Gucci watch with logo striped black strap, ref #1142; Serial Number DY119126568;
5.	Stainless steel and gold tone gents Gucci watch with logo striped dial and black strap, ref #1142, Serial Number 11912658;
6.	Stainless steel and gold tone gents Gucci watch set with rhinestones, black rubber strap, ref #1142, Serial Number 11912656;
7.	Stainless steel Gucci watch with logo striped brown dial and strap, ref #1142, Serial Number 11912656; and
8.	Stainless steel gents Gucci digital watch with black rubber strap, ref #1142, Serial Number 11912666

Defendant 2: Assorted Counterfeit Clothing, Shoes, and Accessories

1.	Louis Vuitton Damier Graphite baseball cap with patch overlay and large LV logo;
2.	Louis Vuitton Damier Ebene baseball cap with patch overlay and large vinyl LV logo;
3.	Three (3) Each Gucci baseball caps with logo stripes and metal Gucci bars;
4.	True Religion distressed brown baseball cap with a True Religion Wings patch;
5.	True Religion distressed black baseball cap with a True Religion Buddha patch;
6.	Robin's Jean black baseball cap with Wings and a metallic and rhinestone bill;
7.	Robin's Jean red baseball cap with Wings and a black metal and rhinestone bill ;
8.	Two (2) Each Louis Vuitton baseball caps;
9.	Pair of True Religion gray, size 38, Johnny Super T pants;
10.	Pair of True Religion black cords, size 36, Joey Super T pants;
11.	Pair of True Religion light camouflage, size 36, pants, with cargo pockets and drawstring ankles;
12.	Pair of True Religion dark camouflage, size 38, pants with cargo pockets and drawstring ankles;
13.	Pair of True Religion red, size 38, Johnny Super T pants;
14.	Pair of True Religion red, size 36, Johnny Super T pants;
15.	Gucci white knit shirt, size 4X;
16.	Gucci black frame sunglasses with logo striped ear pieces, Serial Number W76458-18-132;
17.	Gucci black frame sunglasses with logo striped ear pieces, Serial Number W76458-18-135;
18.	Ray Ban silver tone aviator style frame sunglasses with logo striped ear pieces, 902B;
19.	Louis Vuitton black leather jacket, size L/XL;
20.	Gucci white leather jacket, size 5X;
21.	Gucci black leather jacket, size 5X;
22.	Pair of True Religion 2V-green, size 36, Bobby Straight jeans;
23.	Pair of True Religion dark green, size 38, Bobby Straight jeans;
24.	Tom Ford black aviator style frame sunglasses with bag and case, Serial Number TF5212C0960-16130;
25.	Louis Vuitton black over yellow frame sunglasses with bag and case, K18;
26.	Cartier gold tone aviator frame sunglasses set with rhinestones and two Cartier cases, Serial Number 1820088;
27.	Louis Vuitton Damier Ebene belt with a gold tone LV buckle, size 50/125;
28.	Louis Vuitton Damier Graphite belt with a black LV buckle, size 50/125;
29.	Versace black leather belt with gold tone Medusa buckle, size 46/115, with box and bag;
30.	Gucci gold tone frame sunglasses with black and pink striped rubber ear pieces, Serial Number GG8209/S, 9P8CC;
31.	MCM Muenchen brown leather belt with gold tone beds and a gold tone buckle, size 50/125;

32.	Set of Versace red belt with gold tone Medusa motif buckle and Versace knit shirt with Medusa image;
33.	Set of Salvatore Ferragamo red belt with a gold tone buckle and a Ferragamo red and white t-shirt;
34.	Versace gold tone Medusa frame sunglasses, #5039;
35.	Versace gold tone and faux tortoise shell Medusa frame sunglasses, #2869;
36.	Versace gold tone Medusa frame sunglasses with blue lenses, #5039;
37.	Versace gold tone Medusa and Greek Key frame sunglasses with white ear pieces, with case, #5217;
38.	Versace gold tone Medusa frame sunglasses with white ear pieces, case & box, #mod 2150-Q, 1102/81;
39.	Versace gold tone Medusa frame sunglasses with black ear pieces, case & box, #mod 2150-Q, 134/187;
40.	Cartier gold tone aviator frame sunglasses set with rhinestones, with case, Paris 110, Serial Number T8200882;
41.	Cartier gold tone and black frame sunglasses set with rhinestones, with case, CA5903;
42.	Dita gold tone and black frame sunglasses, Grandmaster Five, with case, Serial Number DRX-2077-D-NYYGLD-64;
43.	Dita gold tone & faux tortoise shell frame sunglasses, Grandmaster Five, with case, Serial Number DRX-2077-A-GLD-TOR-64;
44.	Dita gold tone & faux tortoise shell frame sunglasses, Grandmaster Five, with case, Serial Number DRX-2077-A-GLD-TOR-64;
45.	Dita gold tone & black frame sunglasses set with rhinestones, Grandmaster Five, with case, Serial Number DR-2077-A-BLK-64;
46.	Gucci gold tone and black frame sunglasses with authentic Gucci triangle shaped case, Serial Number GG4225/S, WL4AE;
47.	Gucci gold tone and black frame sunglasses, with case, Serial Number GG4225, WPUCC;
48.	Gucci gold tone frame sunglasses with Gucci in gold on lens, with case, Serial Number GG2216/S C1;
49.	Chrome Hearts gold tone and black frame sunglasses with Fleur de Lis designs, with case, Serial Number 145 1940;
50.	Michael Kors white frame sunglasses, Serial Number W8814 16127;
51.	Cazal gold tone and white frame sunglasses, W8813;
52.	Cazal gold tone and faux tortoise shell frame sunglasses, W8813;
53.	Cazal gold tone and clear frame sunglasses, 634;
54.	Louis Vuitton gold tone frame sunglasses with logo image on lenses, with case, W774;
55.	Louis Vuitton gold tone and faux tortoise shell frame sunglasses with logo on lenses, w/case, Z0164U;
56.	Louis Vuitton black & silver tone frame sunglasses, with case, Z0337U;
57.	Louis Vuitton black & gold tone frame sunglasses, with case, Model K18/W;
58.	Louis Vuitton black over blue and gold tone frame sunglasses, with case, Model K18/W;

59.	Louis Vuitton gold tone and Damier Ebene fabric frame sunglasses, with case, 81060;
60.	Louis Vuitton gold tone over black frame sunglasses, with case, 8306;
61.	Louis Vuitton gold tone over black frame sunglasses with logo imprints, with case, 8306;
62.	Belle Badgley Mischka black and bone shoulder tote bag with a zippered top, style 710620;
63.	Gucci vinyl duffle bag;
64.	Gucci backpack;
65.	Belle Badgley Mischka black and bone shoulder tote bag with a zippered top;
66.	Cole Haan bone with black trim shoulder bag;
67.	Louis Vuitton gold tone and Damier Ebene fabric frame sunglasses, with case and box, Serial Number Z0 202 E0068;
68.	Louis Vuitton white zippered jacket, size 5X;
69.	Christian Louboutin high top sneakers with tropical fabric and turquoise and gold glitter;
70.	Christian Louboutin high top sneakers with fancy fabric and gold spiked toes;
71.	Christian Louboutin high top sneakers with fancy fabric and gold spiked toes;
72.	Christian Louboutin high top sneakers with black snake skin;
73.	Christian Louboutin high top sneakers with red suede and red crystals; and
74.	Christian Louboutin high top sneakers with black suede and black crystals

(Doc. 1.) Special Agent, Joseph H. Klump, with the Federal Bureau of Investigation verified the complaint. (*Id.*) The complaint alleges that the defendants are subject to forfeiture under 18 U.S.C. § 2323(a)(1), which provides for the forfeiture to the United States of:

- (A) Any article, the making or trafficking of which is prohibited under section 506 of title 17, or section 2318, 2319, 2319A, 2319B, or 2320, or chapter 90 of this title;
- (B) Any property used, or intended to be used, in any manner or part to commit or facilitate the commission of an offense referred to in subparagraph (A); and/or
- (C) Any property constituting or derived from any proceeds obtained directly or indirectly as a result of the commission of an offense referred to in subparagraph (A).

(*Id.*)

A Warrant of Arrest *In Rem*, issued by the Court on March 14, 2017, directed the United States Marshals Service (“USMS”), the Federal Bureau of Investigation, any duly authorized law enforcement officer, or their delegate(s) to arrest the defendants. (Doc. 2.)

Pursuant to Rule G(4)(b)(i) of the Supplemental Rules, “[t]he government must send notice of the action with a copy of the complaint to any person who reasonably appears to be a potential claimant on the facts known to the government before the end of the time for filing a claim under Rule G(5)(a)(ii)(B).” The direct notice instructs the potential claimant or the potential claimant’s attorney of the following: 1) the date when the notice was sent, 2) the deadline for filing a claim which is at least 35 days after the notice was sent, 3) that an answer or a motion under Rule 12 must be filed no later than 21 days after filing the claim, and 4) the name of the government attorney to be served with the claim and answer. Supplemental Rule G(4)(b)(ii). “The notice must be sent by means reasonably calculated to reach the potential claimant.” Supplemental Rule G(4)(b)(iii)(A).

In this case, the United States has sent direct notice of this action with a copy of the complaint to all known potential claimants including: Abdullah Luqman at his address of record, and to Abdullah Luqman via his attorney, Thomas Koustmer, Esq., 125 East Court Street Suite: 100, Cincinnati, Ohio 45202, on March 16, 2017. (Doc. 6.)

Pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules, the United States is required to publish notice in a manner reasonably calculated to notify potential claimants of the civil forfeiture action on an official internet government forfeiture site for at least 30 consecutive days.

The United States posted notice of this civil forfeiture action on the official internet government forfeiture site (www.forfeiture.gov), beginning on March 18, 2017 for 30 consecutive days. (Doc. 7.)

On March 31, 2017, Abdullah Luqman, (“Decedent Claimant”) filed a Claim to the defendants. (Doc. 3.)

On May 8, 2018, James Arnold filed a Notice of Appearance representing Decedent Claimant, Abdullah Luqman. (Doc. 27.)

On August 24, 2018, the Court stayed this civil forfeiture proceeding until the conclusion of the related criminal investigation or the completion of the related criminal proceeding, *United States v. Abdullah Luqman*, 1:18-cr-00081. (Notation Stay Order; Joint Motion to Stay, Doc. 30.)

On November 30, 2023, pursuant to Fed. R. Civ. P. 25(a)(1) and (3), the Decedent Claimant’s attorney filed a Statement of Death in the instant case (Statement of Death, Doc. 32). Dorothy Gilbert, the mother of Decedent Claimant Abdullah Luqman and a non-party, whose last known address is 777 Jackson Street, Cincinnati, Ohio 45215, is the only possible successor or likely personal representative of Decedent Claimant known to counsel. (*Id.*) Decedent Claimant’s Counsel advised that he was not retained to represent any successor, or personal representative for the Estate of Abdullah Luqman. (*Id.*) He notified Ms. Gilbert as to the existence of this action via regular U.S. Mail. (*Id.*) However, Ms. Gilbert was not served pursuant Fed. R. Civ. P. 4, as required. *See* Rule 25(a)(3).

On January 25, 2024, Judge Black dismissed the indictment against Decedent Claimant Abdullah Luqman in the related criminal case. (*See* Docs. 30 and 31 in 1:18-CR-00081) (S.D. Ohio).

On February 13, 2024, this Court granted the United States' Motion to Lift the Stay. (Doc. 36.)

Pursuant to Fed. R. Civ. P. 25(a)(1) and (3), Dorothy Gilbert, the Estate of Abdullah Luqman was served on February 15, 2024, at 975 Jackson Street, Cincinnati, Ohio 45215 with a copy of the Statement of Death filed in this action via certified and regular mail pursuant to Fed. R. Civ. P. 4. (Doc. 37.)

Ms. Gilbert has not filed a claim and no motion has been made for substitution of the proper party. (*See* docket.)

At the time of this filing, more than ninety (90) days has elapsed from the time that Dorothy Gilbert, the only known possible successor or representative, was served with the Statement of Death.

In accordance with Fed. R. Civ. P. 25(a)(1), the Court granted the United States' Motion to Dismiss Decedent Claimant Abdullah Luqman's Claim. (Doc. 39.)

No other person or entity has filed a claim to the defendants or an answer to the complaint, and the time to do so has expired.

The allegations of the Verified Complaint for Forfeiture are taken as admitted.

This Court has jurisdiction pursuant to 18 U.S.C. § 2323(a)(1), 28 U.S.C. § 1345, and 28 U.S.C. § 1355.

NOW THEREFORE, based upon the above findings, and the Court being otherwise fully advised in the matter, it is hereby **ORDERED, ADJUDGED, AND DECREED:**

1. All right, title, and interest in the Defendants is CONDEMNED and FORFEITED to the

United States, pursuant to 18 U.S.C. § 2323(a)(1).

2. All right, title, and interest in the Defendants is vested in the United States, and no right, title, or interest shall exist in any other person or entity; and
3. The United States shall dispose of the Defendants in accordance with the law.

s/Timothy S. Black
TIMOTHY S. BLACK
UNITED STATES DISTRICT JUDGE